



THE NAGALAND GAZETTE

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PART-I**NOTIFICATION****Dated Kohima, the 1st September, 2021.**

No. DSE/PROM/2-69/2021/837:: In the interest of public service, the Governor of Nagaland is pleased to order officiating promotion in respect of the following officers under Elementary & Secondary Cadre of School Education Department from the post of Assistant Director/SDEO/ADEO to Deputy Director/Sr.SDEO in the level 15 of the Pay Matrix (Rs.67,300-1,89,300).

Sl. No	Name of the Officers	Designation	Promoted as	Against Vacancy
1	Shri. Zhutovi S Chophy	Asst. Director/ADEO/SDEO	Dy. Director/Sr.SDEO	Existing Vacancy
2	Shri. Etsongoyi Medeo	Asst. Director/ADEO/SDEO	Dy. Director/Sr.SDEO	Existing Vacancy
3	Smti. S Repainla Jamir	Asst. Director/ADEO/SDEO	Dy. Director/Sr.SDEO	Existing Vacancy

- The officiating promotion is purely on temporary basis subject to regularization by the Departmental Promotion Committee (DPC).
- The Officiating promotion will be effective from the date of taking over charge of the post by the official concerned.
- This issues with the clearance of the P & AR Department vide **UO No. 434 dated 20.08.2021.**

Sd/-

NOKCHASASHI

Joint Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 2nd September, 2021.**

NO.TRSM/ESTT-1/7/2019/699:: In the interest of public service, the Governor of Nagaland is pleased to order officiating promotion of Shri. Veyielo Doulo, Deputy Director to the post of Joint Director, vice Smti. Keduosie-ü Metha promoted, in the revised Pay Level 16 (79900-193700) subject to the following conditions;

- The officiating promotion shall be effective only from the date of taking over charge of the post of Joint Director by the official concerned.
- The officiating Promotion is subject to regularisation by the DPC.

This has the clearance of the Department of P&AR (O.M Branch) vide their U.O. No.476 dated 2/9/2021.

Sd/-

IMOKOKLA

Deputy Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 9th September, 2021.**

NO.SERI/ESTT-1/38/2007(Vol-II)(Pt)/499:: The Governor of Nagaland is pleased to order officiating promotion to the under mentioned Officers under the establishment of the Directorate of Sericulture, Nagaland in the following pay matrix plus all other allowances as are admissible under the rule enforced from time to time with effect from the date of taking over charge.

Sl. No	Name of the Officer with Designation	Promoted to the post of	Posts vacated by	Pay Matrix
1	Smti.T. Achila Longkumer	Office Superintendent	Shri. I. Asangba Longchar, Office Superintendent. Retired on 31-08-21	Level -13
2	Smti. Akokla Tonger	Assistant Superintendent	Smti. T. Achila Longkumer. Assistant Superintendent	Level-11

The officiating promotion is purely on temporary basis and is subject to regularization by the Departmental Promotion Committee within 3 (Three) months period.

This issues with the Clearance of P & AR O&M. Branch vide U.O. No. 487 Date 06-09-2021.

Sd/-**ORENPOMO KIKON , NCS.**

Commissioner & Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 18th August, 2021.**

No. LM/CP- 8/2/2013(Pt) :: In exercise of the power conferred under Proviso Rule 6 (6) of the Consumer Protection (Qualification for appointment , method of recruitment , procedure of appointment, terms of office, resignation and removal of the President and Members of the State Commission and District Commission) Rules 2020, the Governor of Nagaland is pleased to appoint Shri. S. Hukato Swu, Hon'ble Judge of the Gauhati High Court as President of State Commission, Nagaland with immediate effect with the following terms and condition:-

- i. Shri. S. Hukato Swu, Hon'ble Judge while working as the President of the State Commission shall be paid the salary and allowances as are admissible to a Sitting Judge of a High Court of a State minus (-) Salary/Pension.
 - ii. He shall hold the office of the president for a term of 4 (four) years, or till he attains the age of 65 (sixty five) years, whichever is earlier.
2. The other terms and conditions of his appointment, which are not specified in this notification shall be decided by the State Government from time to time.

Sd/-**Y. RENBONTHUNG TSOPOE**

Additional Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 1st September, 2021.**

NO. SW/OP/8/2021/C :: In the interest of public service, the Governor of Nagaland is pleased to allow officiating promotion to the under mentioned officer under the establishment of the Directorate of Social Welfare, Nagaland, in the indicated pay matrix plus all other allowances as are admissible under Rules in force in Nagaland from time to time and with effect from the date as indicated below:-

Sl. No.	Name & Designation	Promoted to	Pay Matrix	Against the Vacancy	w.e.f
1.	Smti. Nokeharenla Longchar, Deputy Director	Joint Director	Level-16 (79900-193700)	Promotion Vacancy of Smti. Tosheli Zhimomi	Date of taking over charge

2. The officiating promotion is to be placed before the Departmental Promotion Committee within a period of three months for subsequent regularization.

3. This has the clearance of the P&AR Department (O&M Branch) vide U.O No. 440 dated 20.08.2021.

Sd/-**BODENO S. COLO**

Joint Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 19th August, 2021.**

NO.MA-76/2017:: On the recommendation of the State Government and approval accorded by the Ministry of Housing & Urban Affairs, Government of India and the Board of Directors, SPV, Kohima Smart City Development Limited (KSCDL), Er. Kezhazelhou Theunuo (Retired) is hereby appointed as the Chief Executive Officer, KSCDL with immediate effect.

2. In terms of Para 3.3 Annexure-5 of the Smart Cities Mission Statement & Guidelines, his appointment shall be for a fixed term of 3 (Three) years and he shall be removed only with the prior approval of the Ministry of Housing & Urban Affairs.

3. The remuneration of the CEO shall be paid as per the salary structure of KSCDL i.e ₹. 2,00,000/- (Rupees Two Lakh only) per month or last pay drawn minus pension whichever is less.

4. Any other terms & conditions as applicable under Smart Cities Mission Statement & Guidelines and Companies Act, 2013 shall be determined by the Board of Directors, SPV, KSCDL.

Sd/-**RONGSEN MENLA**

Under Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 10th September, 2021.**

No.IDA/ESTT-8/2007/101 :: In the interest of public service, the Governor of Nagaland is pleased to order the transfer & posting of Shri. N. Zuben Odyuo, Functional Manager, DIC, Kiphire as Functional Manager, Sub-DIC Bhandari against existing vacancy.

Handing & taking over charge should be completed within 15(fifteen) days from the issue of this notification.

**Sd/-
LUNGHEISING**

Additional Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 10th September, 2021.**

NO.I&C/ESTT-43/13(Pt)/100 :: The Governor of Nagaland is pleased to order the officiating promotion of the following officers from the post of **Inspector of Industries** to the post of **Assistant Director/Functional Manager** under the Department of Industries & Commerce, Nagaland in the Pay Matrix Level-14 (67300-189300) per month plus all other allowances as are admissible under rules in force in Nagaland from time to time *from the date of taking over charge*.

In the interest of public service, the officers are posted in the place of posting as mentioned below.

Sl.No.	Name of the Officer	Designation & Present Place of Posting	Designation & Place of Posting
1.	Smti. Janet Thapru	Inspector of Industries, Directorate	Functional Manager, Sub-DIC Chiephobozou <i>on promotion</i>
2.	Shri. Inavi Y. Achumi	Economic Investigator, SDIC, Atoziu	Functional Manager, DIC Chozuba <i>on promotion</i>
3.	Shri. Mhachan N. Kikon	Economic Investigator, DIC, Wokha	Functional Manager, DIC, Kiphire <i>on promotion</i>
4.	Shri. Putin	Inspector of Industries, DIC, Mon	Functional Manager, Sub-DIC Tizit <i>on promotion</i>
5.	Smti. Lucy Ngouri	Inspector of Industries, DIC, Phiek	Functional Manager, DIC Dimapur <i>on promotion</i>
6.	Shri. Kikhumthong	Economic Investigator, SDIC, Bhandari	Assistant Director, Directorate <i>on promotion</i>
7.	Shri. Namzuilang Pamai	Economic Investigator, DIC, Peren	Functional Manager, DIC Mon <i>on promotion</i>

1. The officiating promotion is purely temporary and subject to regularization by the Departmental Promotion Committee (DPC).
2. The officiating promotions will be subject to the outcome of the Court case in WP(C)152/2020, Er. Kenyunile T. Lorin Vs State of Nagaland and Ors.
3. This is issued with clearance of the P&AR Department vide U.O. No. 478 dated 02/09/2021.

**Sd/-
LUNGHEISING**

Additional Secretary to the Government of Nagaland.

ORDER**Dated Dimapur, the 22nd September, 2021.**

NO.CT/LEG/GST-AA/7/18/519/619: In exercise of the powers conferred by sub-section (2) of section 4 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017), the Commissioner of State Taxes, Nagaland hereby appoints **Shri. Y. Mhathung Murry**, Special Commissioner of State Taxes, Nagaland:Dimapur as the **Appellate Authority** for the State of Nagaland with effect from 01-02-2021.

Sd/-**KESONYU YHOME, IAS**

Commissioner of State Taxes

Nagaland: Dimapur

NOTIFICATION**Dated Kohima, the 18th August, 2021.**

No. LM/CP- 8/2/2013(Pt) :: In exercise of the power conferred under Proviso Rule 6 (6) of the Consumer Protection (Qualification for appointment, method of recruitment, procedure of appointment, terms of office, resignation and removal of the President and Members of the State Commission and District Commission) Rules 2020, the Governor of Nagaland is pleased to appoint the following as District Commission Members for a term of 4 (four) years or up to 65 (sixty five) years of age, whichever is earlier with immediate effect under:-

Sl.No	Name	Lady/Male member	District
1.	Shri. Rokoneilie Robert Belho	Male Member	Kohima
2.	Smti. Kepeneinu Chadi	Lady Member	Kohima
3.	Shri. Pungbachung Meru	Male Member	Peren
4.	Smti. Hoineichin Singson	Lady Member	Peren
5.	Shri. Y. Chingmak Chang	Male Member	Tuensang
6.	Shri. Mantok Konyak	Male Member	Mon
7.	Smti. N. Mannon	Lady Member	Mon
8.	Shri. Lirimong Sangtam	Male Member	Kiphire
9.	Smti. Yanhola Yimchunger	Lady Member	Kiphire

Sd/-**Y. RENBONTHUNG TSOPOE**

Additional Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 26th July, 2021.**

No.PLN/EVL-3/96 (Pt):: In the interest of public service, the Governor of Nagaland is pleased to transfer Smti. Kevimhietuou Sorhie, Evaluation Inspector from DEO Longleng and posted as Evaluation Inspector under the establishment of DEO Mokokchung.

2. She is temporarily attached to Nagaland Emporium, New Delhi for a period of 2 (two) years subject to recalling her service in exigency of official duties in the department.

Sd/-**HENKHOHAO SINGSON**

Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 1st September, 2021.**

NO. SW/OP/8/2021/B :: In the interest of public service, the Governor of Nagaland is pleased to allow Smti. Tosheli Zhimomi, Joint Director, Social Welfare Department to man the post of OSD (ICDS) in the rank of Additional Director, Social Welfare Nagaland in Pay Level-17 of the Pay Matrix on deputation basis, consequent upon the promotion of Shri. Michael Zaren, OSD (ICDS) to Director, Social Welfare.

2. This has the clearance of the P&AR Department (O&M Branch) vide U.O No 440 dated 20.08.2021.
3. The deputation shall be effective from the date of taking over charge.

Sd/-**MHOMO TUNGEO**

Deputy Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 13th September, 2021.**

NO.YRS/ESTT-2/12/2017:: In supersession to this department's notification of even no dated 01/07/2021 & 09/07/2021 and in the interest of public service, the Governor of Nagaland is pleased to order transfer and posting of the following officers under the Directorate of Youth Resources & Sports.

Sl No	Name	Designation	Present posting	Posted to/Remark
1	Shri K.Libemo Jami	YRO	Directorate	Wokha (with additional charge of DSO)
2	Smti Khriekethoi Kense	YRO	Dimapur	Retained
3	Smti Chubarenla Longchari	YRO	Kohima	Directorate
4	Shri Viruokuo Zumvü	YRO	Tuensang (Dual Charge)	Kohima
5	Shri N.Vineikholie	YRO	Phek	Directorate
6	Smti Atoli Yephtho	YRO	Zunheboto (Dual Charge)	Retained
7	Shri Rokohotso Krose	DSO	Directorate	Tuensang (with additional charge of DYRO)
8	Shri Asekho Talie	DSO	Peren	Retained
9	Smti. Dziesebeinu Vizo	DSO	Kohima	Administrator, IG Stadium, Kohima
10	Shri Mangla Imchen	DSO	Dual charge of Longleng & Mokokchung(DSO & DYRO)	Retained
11	Shri Thepfuradi Zumvu	DSO	Phek	Mon (with additional charge of DYRO)
12	Shri Zhopovi Zecho	DSO	Wokha	Kohima
13	Shri Anguvito Sumi	DSO	Mon	Kiphire
14	Smti Tepulezonu Tetso	DSO	Dimapur	Retained
15	Shri Wutsutho	DSO	Kiphire	Phek (with additional charge of DYRO)

Handing and taking over of charges should be completed within one week from the date of issue of this Notification.

Sd/-**LANURENLA LONGCHAR**

Under Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 2nd September, 2021.**

No.PSTY/ESTT-16/2016/136:: In the interest of Public Service, the Governor of Nagaland is pleased to order officiating promotion in respect of the following Officer (s) under the Directorate of Printing & Stationery, Nagaland, Kohima, in the Pay Matrix including all other allowances as are admissible under the Rules from time to time in Nagaland as indicated against each Officer with effect from the date of taking over charge of the respective posts by the official concerned.

- (i) Shri.Nribemo Shitio, Superintendent (Class-I Gazetted) promoted to the post of Registrar (Class-I Gazetted) against the resultant vacancy in Level 14 (₹.15600-39100) GP ₹5700 of the Pay Matrix caused due to the retirement of Smt. Vitani Sale,Registrar.
 - (ii) Shri. Kezhaleto Chalie, Assistant Superintendent, (Class-II Gazetted) promoted to the post of Superintendent (Class-I Gazetted) against the resultant vacancy in Level 13 (₹.15600-39100) GP ₹5400 of the Pay Matrix caused due to the retirement of Shri.Kevethiyi Ngo-i.Superintendent.
 - (iii) Smt. Arenla Toshly, Assistant Superintendent (Class-II Gazetted) promoted to the post of Superintendent (Class-I Gazetted) against the resultant vacancy in Level 13 (₹.15600-39100) GP ₹5400 of the Pay Matrix caused due to the promotion of Shri.Nribemo Shitio, to Registrar.
 - (iv) Shri. Renbemo, UDA promoted to the post of Assistant Superintendent (Class II Gazetted) against the resultant vacancy in the Level 11 (₹ 9300-34800) GP ₹4400 of the Pay Matrix caused due to the promotion of Shri.Kezhaleto Chalie, to Superintendent.
 - (v) Shri.Phomli Phom,UDA promoted to the post of Assistant Superintendent(Class II Gazetted) against the resultant vacancy in the Level 11 (₹ 9300-34800) GP ₹4400 of the Pay Matrix caused due to the promotion of Smt.Arenla Toshly,to Superintendent.
- 2.The Officiating Promotion is made against the undisputed Seniority List against the resultant vacancies.
- 3.The Officiating Promotions will be placed before the Departmental Promotion Committee (DPC) within 3(three) months,for subsequent regularization
- 4.This is issued with the approval and clearance of the P & AR Department vide U.O.No.475 dated 02/09/2021.

Sd/-**MARGARET KERHÜ-O**

Deputy Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 13th September, 2021.**

NO.GM-1/ESTT-47/2010(Pt)/256:: On the recommendation of the Departmental Promotion Committee (DPC) of 25/08/2021 and in the interest of public service, the Governor of Nagaland is pleased to order the promotion of the following officers under the Department of Geology & Mining Department.

1. **Er. Daniel Thupita**, Junior Engineer (D) promoted to the post of Assistant Drilling Engineer in the Pay **Level-13 (₹56100-177500)** of the pay matrix plus all other allowances as are admissible under the Rules in force from time to time with effect from 25.08.2021.
2. **Shri Kiumula Yimchunger**, Drilling Asst. Gr-I promoted to the post of Junior Engineer (D) in the Pay **Level-11 (₹40800-129200)** of the pay matrix plus all other allowances as are admissible under the Rules in force from time to time with effect from 25.08. 2021.

Sd/-**AMENTOLI ANAR, NCS**

Deputy Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 13th September, 2021.**

HR/ESTT-2/1/2013 Vol-1(part-I):: In the interest of public service, the Governor of Nagaland is pleased to allow officiating promotion to the following officials under Horticulture Department to the post indicated below from the date of taking over of charge:-

S.N	Name & Designation	Promoted to	Pay Matrix	Remark
1	Shri. Ronlo Rengma, Horticulture Inspector (HI)	Assistant Horticulture Officer (AHO)	Level-11 (40800-129200)	Against the vacancy caused by the promotion of Dr. Alongba Tzudir, AHO to HO.
2	Shri. Rishu Philip, Horticulture Inspector (HI)	Assistant Horticulture Officer (AHO)	Level-11 (40800-129200)	Against the vacancy caused by the promotion of Smti. Neisetuonuo Debbie, AHO to HO.
3	Shri. Longrikaba, Horticulture Inspector (HI)	Assistant Horticulture Officer (AHO)	Level-11 (40800-129200)	Against the vacancy caused by the promotion of Shri. Imnuksungba, AHO to HO.

2. This issues with P&AR Department's clearance vide **U.O. No. 453 dt. 23.08.2021.**
3. Further, the officiating promotion is subject to regularization through Departmental Promotion Committee(DPC) within 3(three) months from the date of issue of this Notification.

Sd/-**K. TSAPONGLA SANGTAM**

Under Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 5th May, 2021.**

NO. WD/ESTT-1/1/2015/252:: In the interest of public service, the Governor of Nagaland is pleased to give officiating promotion to the undermentioned officers under the Directorate of Women Resource Development to the post and pay level as indicated against the name plus all the other allowances as are admissible under rules in Nagaland in force from time to time with effect from the date of taking over charge.

Sl. No	NAME	DESIGNATION	PROMOTED TO	PAY LEVEL
1.	Shri Melumlungbo Zeliang	Assistant Director	Deputy Director (Against existing vacancy)	15
2.	Shri Nzanthung K. Yanthan	Women Resource Development Officer (WRDO)	Assistant Director (vice Shri Melumlungbo Zeliang, Assistant Director promoted)	14

2. The above officiating promotion is purely on temporary basis subject to regularization by the Departmental Promotion Committee.
3. This is issued with the clearance of P & AR Department vide U.O No.87 dated 04-05-2021.

Sd/-**NUKUTULU S. VENUH**

Under Secretary to the Government of Nagaland.

PART-IIA**NOTIFICATION****Dated Kohima, the 19th July 2021.**

NO.WRD/ESTT-1/1/2015/262:: On the recommendation of the Departmental Promotion Committee vide their letter No. NPSC/DPC-10/2017 dated 16.07.2021, the Governor of Nagaland is pleased to regularize the Officiating promotion of the following Officers under Women Resource Development Department with effect from the date indicated against their names.

Sl. No.	Name	Designation	Effective date of regularization
1.	Shri. Melumlungbo Zeliang	Dy. Director	Dy. Director w.e.f. 05.05.2021
2.	Shri. Nzanthung K. Yanthan	Asst. Director	Asst. Director w.e.f. 05.05.2021

This has a reference to this Department's Notification of even number dated 05.05.2021.

Sd/-**KECHA NIENU**

Joint Secretary to the Government of Nagaland.

ORDER**Dated Kohima, the 31st August 2021.**

No. SW/ESTT/RTD/1/2021: In terms of Section 3(1) and Section 3(2) of the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009 the Governor of Nagaland is please to release the following officials serving under the establishment of Social Welfare Department from Government service on completion of 35 years of continuous service/attaining the age of superannuation as under:-

Sl. No.	Name of the Govt. Employees	Designation	Place of Posting	Date of Birth	Date of entry into Govt. Service	Date of release on completion of 35 years of continuous Service/ Superannuation.
1.	Smti. K. Atoli Sema	Director	Directorate	12.08.1961	20.09.1991	31.08.2021(Age)
2.	Shri. Zubemo Kikon	Joint Director	Directorate	22.06.1965	05.08.1986	31.08.2021 (Service)
3.	Shri. Khuppao Hengna	DWO	DWO MON	01.06.1963	07.08.1986	31.08.2021(Service)

Sd/-**MHOMO TUNGOE**

Deputy Secretary to the Government of Nagaland.

NOTIFICATION**NO.HTE/TE/12-6/2014'A'/460::****Dated Kohima, the 9th September 2021.**

Creation of 21 (twenty one) posts of various grades under the establishment of Government Polytechnic, Aboi, Mon, Government Polytechnic, Peren and Government Polytechnic, Doyang, Wokha.

In reference to the subject mentioned above, the undersigned is directed to convey herewith the approval of the Government of Nagaland to the creation of the following **21 (twenty one)** posts of various grades under the establishment of Government Polytechnic, Aboi, Mon, Government Polytechnic, Doyang, Wokha and Government Polytechnic, Peren:

1. Government Polytechnic, Aboi, Mon:

Sl.No	Name of Post & Subject	No. of post created	Pay Level Matrix
1.	Lecturer (Civil Engineering)	03 (three)	Level-13 (Rs. 56100-177500)
2.	Demonstrator (Civil Engineering)	01(one)	Level-8 (28700-91300)
3.	Demonstrator (Welding Shop)	01(one)	Level-8 (28700-91300)
4.	Demonstrator (Carpentry Shop)	01(one)	Level-8 (28700-91300)
5.	Demonstrator (Electrical Shop)	01(one)	Level-8 (28700-91300)
6.	Total Posts	07(seven) Posts	

2. Government Polytechnic, Doyang, Wokha:

Sl.No	Name of Post & Subject	No. of post created	Pay Level Matrix
1.	Lecturer (Architecture)	03(three)	Level-13 (Rs. 56100-177500)
2.	Demonstrator (Carpentry)	02(two)	Level-8 (28700-91300)
3.	Demonstrator (Computer)	01(one)	Level-8 (28700-91300)
4.	Demonstrator (Fabrication)	01(one)	Level-8 (28700-91300)
5.	Total Posts	07 (seven) Posts	

3. Government Polytechnic, Peren:

Sl.No	Name of Post	No. of post created	Pay Level Matrix
1.	Lecturer (Interior Design)	03(three)	Level-13 (Rs. 56100-177500)
2.	Demonstrator (Computer)	01(one)	Level-8 (28700-91300)
3.	Demonstrator (Fabrication)	01(one)	Level-8 (28700-91300)
4.	Demonstrator (Carpentry)	02(two)	Level-8 (28700-91300)
5.	Total Posts	07 (seven) Posts	

2. The expenditure is debitable to the Head of Account 2203-TE- 001- Direction 7 Administration 01- Direction-01 Salaries.

3. This is a **Non-Developmental** expenditure.

4. This is issued with the clearance of the P&AR Department vide U.O No. **906,144** and **403** dated 06/02/2020, 18/06/2021 and 17/08/2021 concurrence of the Finance Department vide RFC/ESTT.NO. **78/6, 78/08 and 78/09** dated 11/12/2020, 03/08/2021 and 01/09/2021 and approval of the Cabinet vide O.M No.CAB-2/2013(Pt) dated 07/11/2020.

Sd/-

ANIMI LOTHIA

Deputy Secretary to the Govt. of Nagaland.

ORDER

Dated Kohima, the 2nd September 2021.

NO. LRD/ESTT/PER-6/2004/1696: In pursuance of Section 3 (1) and Section 2 of the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009 which came into force from 31st October 2009, and in terms of the Government of Nagaland, P & AR Department's Notification No. AR-3/GEN-174/2007 (Pt.) dated 07/08/2009, the Governor of Nagaland is pleased to release Shri. T. Renben Lotha as Director and Shri. Puvil Kikhi as Deputy Director, from Public employment on attaining the age of superannuation/completion of 35 years of service w.e.f 28/02/2022 (AN) as per the statement shown below:-

Sl. No	Name of the Officer	Designation	Place of posting	Date of Birth	Date of entry into service	Date of completion of 35 years in service/or Superannuation (on attaining 60 years of age)
1.	Shri.T.Renben Lotha	Director	Directorate	20/09/1965	12/02/1987	28/02/2022
2.	Shri. Puvil Kikhi	Deputy Director	Directorate	28/03/1962	01/03/1987	28/02/2022

Sd/-

IMTIWAPANG AO

Under Secretary to the Govt. of Nagaland.

NOTIFICATION**NO.HTE/TE/12-6/2014'B'/459::****Dated Kohima, the 9th September 2021.**

Change of nomenclature/re-designation/downgradation/conversion/transfer/re-allocation of the following various grades of already created 11 (eleven) posts under the establishment of Government Polytechnic, Aboi, Mon, Government Polytechnic, Peren and Government Polytechnic, Doyang, Wokha.

In partial modification of this Department's earlier Post Creation order NO.HTE/TE/12-6/2014/22 dated 01/02/2021 and NO.HTE/TE/12-6/2014/153 dated 15/03/2021, the undersigned is directed to convey herewith the approval of the Government of Nagaland for change of nomenclature/re-designation/downgradation/conversion/transfer/re-allocation of the following various grades of already created **11 (eleven)** posts under the establishment of Government Polytechnic, Aboi, Mon, Government Polytechnic, Doyang, Wokha and Government Polytechnic, Peren:

1. Government Polytechnic, Aboi, Mon:

Sl.No	Earlier Created Post, Subject & Institute	New Post & Subject	No. of post created	Pay Level Matrix
1.	Lecturer (Mathematics) Govt. Polytechnic, Peren	Lecturer (Computer Engineering)	01(one)	Level-13 (Rs. 56100-177500)
2.	Lab Assistant (Chemistry)	Demonstrator (Chemistry)	01(one)	Level-8 (28700-91300)
3.	Lab Assistant (Physics)	Demonstrator (Physics)	01(one)	Level-8 (28700-91300)
4.	Total Post	03 (three) Posts		

2. Government Polytechnic, Doyang, Wokha:

Sl.No	Earlier Created Post & Subject	New Post & Subject	No. of post created	Pay Level Matrix
1.	Lecturer (Physics)	Lecturer (Computer Engineering)	01(one)	Level-13 (Rs. 56100-177500)
2.	Lecturer (Chemistry)	Lecturer (Civil Engineering)	01(one)	Level-13 (Rs. 56100-177500)
3.	Lab Assistant (Chemistry)	Demonstrator (Architecture)	01(one)	Level-8 (28700-91300)
4.	Lab Assistant (Physics)	Demonstrator (Architecture)	01(one)	Level-8 (28700-91300)
5.	Total Posts	04 (four) Posts		

3. Government Polytechnic, Peren:

Sl.No	Earlier Created Post & Subject	New Post & Subject	No. of post created	Pay Level Matrix
1.	Lecturer (Physics)	Lecturer (Computer Engineering)	01(one)	Level-13 (Rs. 56100-177500)
2.	Lecturer (Chemistry)	Lecturer (Architecture)	01(one)	Level-13 (Rs. 56100-177500)
3.	Lab Assistant (Chemistry)	Demonstrator (Interior Design)	01(one)	Level-8 (28700-91300)
4.	Lab Assistant (Physics)	Demonstrator (Interior Design)	01(one)	Level-8 (28700-91300)
5.	Total Posts		04 (four) Posts	

2. The expenditure is debitable to the Head of Account 2203-TE- 001- Direction 7 Administration 01- Direction-01 Salaries.

3. This is a **Non-Developmental** expenditure.

4. This is issued with the clearance of the P&AR Department vide U.O No. **906,144 and 403** dated 06/02/2020, 18/06/2021 and 17/08/2021 concurrence of the Finance Department vide RFC/ESTT.NO. **78/6, 78/08 and 78/09** dated 11/12/2020, 03/08/2021 and 01/09/2021 and approval of the Cabinet vide O.M No.CAB-2/2013(Pt) dated 07/11/2020.

Sd/-

ANIMI LOTH

Deputy Secretary to the Govt. of Nagaland.

NOTIFICATION

Dated Kohima, the 2nd September 2021.

NO.PWD/ESTT-02/26/09(Pt)/134::

In terms of section 3 (2) of the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009, which comes into effect from 31st October 2009 and in terms of Government of Nagaland, P&AR Department's Notification NO. AR-3/GEN-174/2007 (Pt) Dated 7th August 2009, the Governor of Nagaland is pleased to release Smti. Veselu Thisa, Head Assistant Sr., O/o E.E. (E), Kohima under Power Department whose particulars are given below with effect from 30/11/2021 (A.N.) on completion of 35 years of service:

Sl. No.	Name of Govt. employee	Designation	Office and place of posting	Date of Birth	Date of joining Govt. service	Date of completion of 35 years of service	Date of release on attaining 35 years of service
1	2	3	4	5	6	7	8
1	Smti. Veselu Thisa	H.A. Sr.	E.E. (E), Kohima	25.04.1965	03.11.1986	02.11.2021	30.11.2021

Sd/-

IMLIAKUM

Under Secretary to the Govt. of Nagaland.

NOTIFICATION**Dated Kohima, the 14th September 2021.**

No.FIN/REV-1/ESTT/03/2021/102:: On the recommendation of the Departmental Promotion Committee, the Governor of Nagaland is pleased to regularize the officiating promotion of the following officers under the Department of State Taxes with effect from the date as indicated below:-

Sl. No.	Name	Designation	Date of Regularization
1.	Shri. Y. Mhathung Murry	Special Commissioner of State Taxes	14-01-2021
2.	Shri. L. Shechong Konyak	Dy. Commissioner of State Taxes	14-06-2014
3.	Smti. N. Areni Patton	1. Dy. Commissioner of State Taxes 2. Superintendent of State Taxes	01-11-2014 13-10-2008
4.	Shri. Imosong Imsong	1. Dy. Commissioner of State Taxes 2. Superintendent of State Taxes	31-10-2014 18-03-2010
5.	Smti. Lirila Sangtam	1. Dy. Commissioner of State Taxes 2. Superintendent of State Taxes	27-02-2017 19-04-2010
6.	Smti. Nitoli Sema	Superintendent of State Taxes	19-04-2010
7.	Smti. Orenponi Yanthan	Superintendent of State Taxes	30-03-2010
8.	Smti. Chievitshu Nyuthe	Superintendent of State Taxes	01-04-2010
9.	Shri. I. Mughato Aye	Superintendent of State Taxes	12-07-2013
10.	Shri. Vekhozo Dozo	Superintendent of State Taxes	17-06-2013

Sd/-**TALIREMBA**

Officer on Special Duty, Finance

NOTIFICATION**Dated Kohima, the 2nd September 2021.****NO.PWD/ESTT-01/18/133::**

In terms of section 3 (2) of the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009, which comes into effect from 31st October 2009 and in terms of Government of Nagaland, P&AR Department's Notification NO. AR-3/GEN-174/2007 (Pt) Dated 7th August 2009, the Governor of Nagaland is pleased to release Er. S. Talimeren, S.D.O. (TC), Office of Engineer-in-Chief, Power Department whose particulars are given below with effect from the 30th November 2021 on superannuation:

Sl. No.	Name of Govt. employee	Designation	Office and place of posting	Date of Birth	Date of release on attaining 60 years of age
1	2	3	4	5	6
1	Er. S. Talimeren	S.D.O. (TC)	Engineer-in-Chief, Power, Kohima	01.12.1961	30.11.2020

Sd/-**IMLIAKUM**

Under Secretary to the Govt. of Nagaland.

NOTIFICATION**Dated Kohima, the 4th August 2021.**

NO.POL-1/ESTT/6/2015:: Whereas SMTI.TALIZUNGLA AO, D/o SOSANGBA AO, residing at 7th NAP BN Bhandari, Wokha, Nagaland, has executed an AFFIDAVIT bearing registration No.749/20, dated 19-06-2020 before the Notary Public.

2. And whereas she has declared that her name has been inadvertently entered as TALILA AO in some of her documents.

3. And whereas the name TALIZUNGLA AO and TALILA AO refer to the one and the same person.

4. Henceforth, the name TALIZUNGLA AO shall be used for all official purposes.

5. This Notification is issued with the clearance of P&AR Department vide their U.O. No. 312 dated 02-08-2021.

Sd/-**CHUBASANGLA LONGKUMER**

Deputy Secretary to the Govt. of Nagaland.

NOTIFICATION**Dated Kohima, the 13th September 2021.**

NO.UDD/2-ESTT/01-DPC/2020 :: In pursuance to the recommendation of the Departmental Promotion Committee vide letter NO.NPSC/DPC-14/2019, dated 25.08.2021, the Governor of Nagaland is pleased to regularize the officiating promotion of the following Ministerial Officers under Directorate of Urban Development as per details listed below:-

Sl. No.	Name of Officer	Designation	Effective Date of regularization of Officiating Promotion
1.	Shri. Kevibo-o Zhotso	Superintendent	12.11.2020
2.	Smti. Neilaphrenuo	Superintendent	24.02.2021

Sd/-**ELIZABETH NGULLY**

Joint Secretary to the Government of Nagaland.

ORDER**Dated Kohima, the 9th September 2021.**

NO.HTE/1-23/05(Pt)/461:: The Governor of Nagaland is pleased to release Er. Razou Vizo, Additional Director, Technical Education, Government of Nagaland from service on voluntary retirement on his own volition (*medical ground*) with effect from **01.09.2021**.

Sd/-**ANIMI LOTHIA**

Deputy Secretary to the Govt. of Nagaland.

NOTIFICATION**Dated Kohima, the 7th September 2021.**

No: LAB-1/9/93 (Pt-II): Whereas the Department of Labour & Employment, Skill Development & Entrepreneurship has issued notification NO.LAB-1/9/93(Pt) dated 15th July, 2010 regarding constitution of Vigilance Committee in each District and each sub-division in the State of Nagaland under relevant provisions of the Bonded Labour System (Abolition) Act, 1976 and whereas the two-year term of the Committees formed subsequently in respective Districts has expired. Now therefore, the Governor of Nagaland is pleased to renew the Committees for a further period of 2 (Two) years subject to the same terms and conditions as notified before.

In this regard, the Deputy Commissioners are authorized to nominate members to the District Vigilance Committee and are further directed to ensure proper implementation of its functions within their respective jurisdictions.

This shall come into force on the date of issue of this notification.

Sd/-**R. ASENLA KEITZAR, IAS**

Commissioner & Secretary to the Govt. of Nagaland.

NOTIFICATION**Dated Kohima, the 7th September 2021.**

NO.IPR/EST/1-20/2018/967:: : The Governor of Nagaland is pleased to order the confirmation of service in respect of the following official under the establishment of Information & Public Relations Department.

Sl. No.	Name	Designation
1	Shri. Maghasha Tep	APRO
2	Shri. Metevizo Sothu	APRO
3	Smti. Mhonlumi Patton	APRO

Sd/-**RENABOMO ODYUO**

Joint Secretary to the Government of Nagaland.

NOTIFICATION**Dated Kohima, the 14th September 2021.**

PHE-1/EST/23/2014(Pt-I): In compliance to direction of competent authority, the Governor of Nagaland is pleased to extend the contract service of the following officers under Public Health Engineering Department with 1(One) day break as indicated below:

Sl. No.	NAME	DESIGNATION	PERIOD FROM
1	Smti. Toniholi Kinny	JE (Contract)	02-08-2021 to 31-07-2022
2	Shri. Hoboto Yeptho	JE(Contract)	02-08-2021 to 31-07-2022

This is issued as per direction and approval of the Hon'ble Minister, PHED

Sd/-**MHATHUNG TUNGEOE**

Additional Secretary to the Government of Nagaland.

NOTIFICATION**THE NAGALAND CONSUMER PROTECTION RULES 2021****(as amended from time to time)****[made under Section 30 of the Consumer Protection Act, 2019****(No. 35 of 2019)]****Government of Nagaland, Department of Legal Metrology & Consumer Protection,
Nagaland, Kohima.**

Drafted as per The Gazette of India MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (Department of Consumer Affairs) Notifications dated 15th July, 2020.

1. Qualification for appointment, method of recruitment, procedure of appointment, term of office, resignation and removal of the President and Members of the State Commission and District Commission.
2. Salary, allowances and conditions of service of President and Members of the State Commission and District Commission.

**GOVERNMENT OF NAGALAND
THE NAGALAND CONSUMER PROTECTION RULES 2021**

NOTIFICATION.

No. _____

Dated: _____

In exercise of the powers conferred by Section 30 of the Consumer Protection Act, 2019 (No.35 of 2019), the State Government makes the following Rules, namely;

1. Short title, extent and commencement. –

- (1) These rules may be called “The Nagaland Consumer Protection Rules, 2021
- (2) They shall come into force on such dates as the State Government may, by Notification in the official Gazette, appoint.

2. Definitions. – In these rules, unless the context otherwise requires –

- (a) “*Act*” means the Consumer Protection Act, 2019 (35 of 2019);
- (b) “*Agent*” means a person duly authorized by a party to present any complaint or appeal or reply on its behalf before the State Commission or the District Forum;
- (c) “*Appellant*” means a party which makes an appeal against the order of the District forum;
- (d) “*Memorandum*” means memorandum of appeal filed by the appellant;
- (e) “*Opposite party*” means a person who answers complaint or claim;
- (f) “*Member*” means a Member of the District Commission or the State Commission, as the case may be;
- (g) “*President*” means the President of the State Commission or District Forum, as the case may be;
- (h) “*Selection Committee*” means the Selection Committee referred to sub-rule (1) of rule 6;
- (i) “*Respondent*” means the person who answer any memorandum of appeal;
- (j) “*State*” means the State of Nagaland;

(k) “Words and expression used in the rules and not defined, but defined in the Act, shall have the meaning respectively assigned to them in the Act.

3. Qualifications for appointment of President and members of the State Commission. –

(1) A person shall not be qualified for appointment as President, unless he is, or has been, a Judge of the High Court;

(2) A person shall not be qualified for appointment as a member unless he is of not less than forty years of age and possesses –

(a) An experience of at least ten years as presiding officer of a district court or of any

tribunal at equivalent level or combined service as such in the district court and tribunal; Provided that not more than fifty percent of such members shall be appointed; or

(b) A bachelor’s degree from a recognized university and is a person of ability, integrity and

standing, and has special knowledge and professional experience of not less than twenty years in consumer affairs, law, public affairs, administration, economics, commerce, industry, finance, management, engineering, technology, public health or medicine;

(3) At least one member or the President of the State Commission shall be a woman.

4. Qualifications for appointment of President and member of District Commission –

(1) A person shall not be qualified for appointment as President, unless he is, or has been, or is qualified to be a District Judge.

(2) A person shall not be qualified for appointment as member unless he –

(a) is of not less than thirty five years of age;

(b) Possesses a bachelor’s degree from a recognized University; and

(c) is a person of ability, integrity and standing, and having special knowledge and professional experience of not less than fifteen years in consumer affairs, law, public affairs, administration, economics, commerce, industry, finance, management, engineering, technology, public health or medicine.

(3) At least one member or the President of the District Commission shall be a woman.

5. Disqualification for appointment of President or member of State Commission and District Commission – A person shall be disqualified for appointment as the President or a member of a State Commission or District Commission if he –

- (1) has been convicted and sentenced to imprisonment for an offence which involves moral turpitude; or
- (2) has been adjudged to be insolvent; or
- (3) is of unsound mind and stands so declared by a competent court; or
- (4) has been removed or dismissed from the service of the State Government; or Central Government or a body corporate owned or controlled by such Government; or
- (5) has, in the opinion of the State Government, such financial or other interest as is likely to prejudicially affect his functions as the President or a member.

6. Procedure of appointment –

(1) The President and members of the State Commission and the District Commission shall be appointed by the State Government on the recommendation of a Selection Committee, consisting of the following persons, namely:-

- (a) Chief Justice of High Court or any Judge of the High Court nominated by him –
Chairperson;
- (b) Secretary in charge of Consumer Affairs of the State Government – Member;
- (c) Nominee of the Chief Secretary of the State – Member.

(2) The Secretary in charge of Consumer Affairs of the State Government shall convene/call of the Selection Committee.

(3) No appointment of the President, or of a member shall be invalid merely by reason of any vacancy or absence in the Selection Committee other than a vacancy or absence of the Chairperson.

(4) The process of appointments shall be initiated by the State Government at least six months before the vacancy arises.

(5) If a post falls vacant due to resignation or death of a member or creation of a new post, the process for filling the post shall be initiated immediately after the post has fallen vacant or is created, as the case may be.

(6) The advertisement of a vacancy inviting applications for the posts from eligible candidates shall be published in leading newspapers and circulated in such other manner as the State Government may deem appropriate.

(7) After scrutiny of the applications received till the last date specified for receipt of such applications, a list of eligible candidates along with their applications shall be placed before the Selection Committee.

(8) The Selection Committee shall consider all the applications of eligible applicants referred to it and if it considers necessary, it may shortlist the applicants in accordance with such criteria as it may decide.

(9) The Selection Committee shall determine its procedure for making its recommendation keeping in view the requirements of the State Commission or the District Commission and after taking into account the suitability, record of past performance, integrity and adjudicatory experience.

(10) The Selection committee shall recommend a panel of names of candidates for appointment in the order of merit for the consideration of the State Government.

(11) The State Government shall verify or cause to be verified the credentials and antecedents of the recommended candidates.

(12) Every appointment of a President or member shall be subject to submission of a certificate of physical fitness as indicated in the annexure appended to these rules, duly signed by a civil surgeon or District Medical Officer.

(13) Before appointment, the selected candidate shall furnish an undertaking that he does not and will not have any such financial or other interest as is likely to affect prejudicially his functions as a President or member.

7. Resignation by President or Member of State Commission or District Commission –

The President or any member may, by writing under his hand addressed to the State Government, resign his office at any time: Provided that the President or member shall, unless he is permitted by the State Government to relinquish office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as a successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

8. Removal of President or Member of State Commission or District Commission from Office–

(1) The State Government shall remove from office any President or member, who –

(a) has been adjudged as an insolvent; or

(b) has been convicted of an offence which involves moral turpitude; or

(c) has become physically or mentally incapable of acting as such member; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or

(e) has so abused his position as to render his continuance in office prejudicial to public

interest; Provided that where a President or member is proposed to be removed on any ground specified in clauses (c) to (e), the President or member shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.

9. Procedure for inquiry of misbehaviour or incapacity of President or Member of State Commission or District Commission –

(1) If a written complaint is received by the State Government, alleging any definite charge of misbehavior or incapacity to perform the functions of the office in respect of the President or a Member of the State Commission or District Commission, the State Government shall make a preliminary scrutiny of such complaint.

(2) If on preliminary scrutiny, the State Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any misbehavior or incapacity of the President or a Member of the State Commission in the case of State Commission and to the State Commission in the case of District Commission to conduct the inquiry.

(3) The State Commission, as the case may be, shall complete the inquiry within three months or such further time as may be specified by the National Commission.

(4) After the conclusion of the inquiry, the State Commission, as the case may be, shall submit its report to the State Government stating therein its findings and the reasons therefore on each of the charges separately with such observations on the whole case as it may think fit.

(5) The State Commission, as the case may be, shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908) but shall be guided by the principles of natural justice and shall have power to regulate its own procedure, including the fixing of date, place and time of its inquiry.

10. Term of office of President or Member – The President and every member of the State Commission and the District Commission shall hold office for a term of four years or up to the age of sixty five years, whichever is earlier and shall be eligible for reappointment for another term of four years subject to the age limit of sixty five years, and such reappointment is made on the basis of the recommendation of the Selection Committee.

11. Salaries and Honorarium payable to President and Members of the State Commission –

(1) President of the State Commission shall receive the salary and other allowances as are admissible to a sitting judge of the High Court of the State.

(2) A Member of the State Commission shall receive honorarium of Rs. 20,000/- (Rupees twenty thousand) only and may be enhanced as decided by the State Govt. from time to time.

12. Salaries and Honorarium payable to President and Members of District Commission

–

(1) The President shall be entitled to the salary and allowances as are admissible to a District Judge in the super time scale of pay.

(2) A Member of the District Commission shall receive honorarium of Rs. 10,000/- (Rupees ten thousand) only and may be enhanced as decided by the State Govt. from time to time.

13. Medical fitness –

No person shall be appointed as President or Member unless he is declared medically fit by an authority specified by the State Government in this behalf.

14. Casual vacancy –

In case of casual vacancy in the Office of President in the State Commission or District Commission, as the case may be, the State Government shall have the power to appoint the senior most Members to officiate as President.

15. Leave and medical treatment and hospital facilities –

The President and Members of the State Commission and the District Commission shall be entitled to leave, Leave Travel Concession, medical treatment and hospital facilities as per the provisions applicable to Group 'A' Government servants in the State Government.

16. Declaration of Financial and other Interests –

The President or member shall, before entering upon his office, declare his assets, and his liabilities and financial and other interests.

17. Other conditions of service –

(1) The terms and conditions of service of the President or member with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group 'A' Officer of the State Government of a corresponding status.

(2) The President or member shall not practice before the National Commission, the State Commission or the District Commission after retirement from the service of the State Commission or the District Commission, as the case may be.

(3) The President or member shall not undertake any arbitration work while functioning in these capacities in the State Commission or the District Commission, as the case may be.

(4) The President or member of the State Commission or the District Commission, as the case may be, shall not, for a period of two years from the date on which they cease to hold office, accept any employment in, or connected with the management or administration of, any person who has been a party to a proceeding before the State Commission or the District Commission.

Provided that nothing contained in this rule shall apply to any employment under the Central Government or a State Government or a local authority or in any statutory authority or any corporation established by or under any Central, State or Provincial Act or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013).

18. Oaths of office and secrecy –

Every person appointed to be the President or member shall, before entering upon his office, make and subscribe an oath of office in (Form I and oath of secrecy in Form II annexed to these rules.)

19. The salary, remuneration and other allowances shall be defrayed out of the Consolidated Fund of the State Government.

20. The terms and conditions of the service of the President and the members of the District Commission and the State Commission shall not be varied to their disadvantage during their tenure of office.

Annexure

[Rule 6 (12)]

CERTIFICATE OF PHYSICAL FITNESS

I hereby certify that I have examined Shri/Smt/Ms.

.....

and that I have not discovered that he/she has any disease (communicable or otherwise), constitutional weakness or bodily infirmity, except I do not consider this a disqualification for his/her for employment as member in the State/District Consumer Disputes Redressal Commission for a period of four years or up to the age of sixty-five years, whichever is earlier.

Signature of candidate

Signature
Designation
(Civil Surgeon/District Medical Officer)

[Rule 20]

FORM- I

Form of Oath of Office for the President and Member of the State Commission and District Commission.

I, A, B, having been appointed as the President/Member in the State Consumer Disputes Redressal Commission,/District Consumer Disputes Redressal Commission, do solemnly affirm/do swear in the name of God that I will faithfully and conscientiously discharge my duties as the President/Member of the State Commission/District Commission to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of land.

(Signature)

FORM- II

Form of Oath of Secrecy for the President and Member of the State Commission and District Commission.

I, A, B, having been appointed as the President/Member in the State Consumer Disputes Redressal Commission,/District Consumer Disputes Redressal Commission, do solemnly affirm/do swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as President/Member of the State Commission/District Commission except as may be required for the due discharge of my duties as the President/Member.

(Signature)

PART-VII

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 30th June, 2021/Asadha 9, 1943 (Saka)

THE ESSENTIAL DEFENCE SERVICES ORDINANCE, 2021

No. 7 OF 2021

Promulgated by the President in the Seventy-second year of the Republic of India.

An Ordinance to provide for the maintenance of essential defence services so as to secure the security of nation and the life and property of public at large and for matters connected therewith or incidental thereto.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

- | | |
|--|---------------------------------------|
| 1. (1) This Ordinance may be called the Essential Defence Services Ordinance, 2021. | Short title, extent and commencement. |
| (2) It extends to the whole of India. | |

(3) It shall come into force at once.

2.(1) In this Ordinance, unless the context otherwise requires,— Definitions.

(a) “essential defence services” means —

(i) any service in any establishment or undertaking dealing with production of goods or equipment required for any purpose connected with defence;

(ii) any service in any establishment of, or connected with, the armed forces of the Union or in any other establishment or installation connected with defence;

(iii) any service in any section of any establishment connected with defence, on the working of which the safety of such establishment or employee employed therein depends;

(iv) any other service, as the Central Government may, by notification in the Official Gazette, declare to be essential defence services, the cessation of work of which would prejudicially affect the —

(I) production of defence equipment or goods; or

(II) operation or maintenance of any industrial establishment or unit engaged in production of goods or equipment required for any purpose connected with defence; or

(III) repair or maintenance of products connected with defence;

(b) “strike” means the cessation of work, go-slow, sit down, stay-in, token strike, sympathetic strike or mass casual leave, by a body of persons engaged in the essential defence services, acting in combination or a concerted refusal or a refusal under a common understanding of

any number of persons who are or have been so engaged to continue to work or to accept employment, and includes—

- (i) refusal to work overtime, where such work is necessary for the maintenance of the essential defence services;
- (ii) any other conduct which is likely to result in, or results in, cessation or retardation or disruption of work in the essential defence services.

14 of 1947.

(2) Words and expressions used herein and not defined but defined in the Industrial Disputes Act, 1947, shall have the meanings respectively assigned to them in that Act.

3. (1) If the Central Government is satisfied that in the—

- (a) public interest; or
- (b) interest of the sovereignty and integrity of India; or
- (c) security of any State; or
- (d) public order; or
- (e) decency; or
- (f) morality,

Power to prohibit strikes in essential defence services.

it is necessary or expedient so to do, it may, by general or special order, prohibit strikes in the essential defence services.

(2) An order made under sub-section (1) shall be published in such manner as the Central Government may deem fit to bring it to the notice of the persons affected by such order.

(3) An order made under sub-section (1) shall be in force for six months, but the Central Government may, by a like order, extend it for any period not exceeding six months, if it is satisfied that in the public interest it is necessary or expedient so to do.

(4) Upon the issue of an order made under sub-section (1) —

- (a) no person engaged in the essential defence services shall go or remain on strike;

- (b) any strike declared or commenced, whether before or after the issue of such order, by persons engaged or employed in such services shall be illegal.

4. Where any order has been issued under sub-section (1) of section 3, any police officer may take all such measures as such officer may deem fit including the use of police force, if he considers necessary, to remove any person, whose presence in any area connected with the—

Removal of persons.

- (a) defence equipment production services; or
- (b) operation or maintenance of any industrial establishment or unit engaged in production or manufacturing of goods or equipment required for any purpose connected with defence; or
- (c) repair or maintenance of products connected with defence,

would be prejudicial to the functioning, safety or maintenance of the essential defence services.

5. (1) Any person —

Dismissal of employees participating in illegal strikes.

- (a) who commences a strike which is illegal under this Ordinance or goes or remains on, otherwise takes part in, any such strike; or
- (b) who instigates or incites other persons to commence, or go or remain on, or otherwise take part in, any such strike,

shall be liable to disciplinary action (including dismissal) in accordance with the same provisions as are applicable for the purpose of taking such disciplinary action (including dismissal) on any other ground under the terms and conditions of service applicable to him in relation to his employment.

(2) Notwithstanding anything contained in any other law for the time being in force or under the terms and conditions of service applicable to any person employed in the essential defence services, before dismissing any person under sub-section (1), no inquiry shall be necessary if the authority empowered to dismiss or remove such person is satisfied that for some reason,

to be recorded by that authority in writing, it is not reasonably practicable to hold such inquiry.

6. Any person, who commences a strike which is illegal under this Ordinance or goes or remains on, or otherwise takes part in, any such strike, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to ten thousand rupees, or with both.

Penalty for illegal strikes.

7. Any person, who instigates or incites other persons to take part in, or otherwise acts in furtherance of, a strike which is illegal under this Ordinance, shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to fifteen thousand rupees, or with both.

Penalty for instigation, etc.

8. Any person, who knowingly expends or supplies any money in furtherance or support of a strike which is illegal under this Ordinance, shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to fifteen thousand rupees, or with both.

Penalty for giving financial aid to illegal strikes.

9.(1) If the Central Government is satisfied that in the—

- (a) public interest; or
- (b) interest of the sovereignty and integrity of India; or
- (c) security of any State; or
- (d) public order; or
- (e) decency; or
- (f) morality,

Power to prohibit lock-outs in any industrial establishment or unit engaged in essential defence services.

it is necessary or expedient so to do, it may by general or special order, prohibit lock-outs in the industrial establishments or units engaged in the essential defence services.

(2) An order made under sub-section (1) shall be published in such manner as the Central Government may deem fit to bring it to the notice of the persons affected by such order.

(3) An order made under sub-section (1) shall be in force for six months, but the Central Government may, by a like order

extend it for any period not exceeding six months, if it is satisfied that in the public interest it is necessary so to do.

(4) Upon the issue of an order under sub-section (1),—

(a) no employer engaged in the essential defence services shall commence any lock-out; and

(b) any lock-out declared or commenced, whether before or after the issue of such order, by any employer engaged in the essential defence services shall be illegal.

(5) Any employer of an industrial establishment or unit engaged in the essential defence services, who commences, continues, or otherwise acts in furtherance of a lock-out which is illegal under this section, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to ten thousand rupees, or with both.

10. (1) If the Central Government is satisfied that in the—

- (a) public interest; or
- (b) interest of the sovereignty and integrity of India; or
- (c) security of any State; or
- (d) public order; or
- (e) decency; or
- (f) morality,

Power to prohibit lay-off in any industrial establishment or unit engaged in essential defence services.

it is necessary or expedient so to do, it may, by general or special order, prohibit lay-off, on any ground other than shortage of power or natural calamity, of any workman (other than a *badli* workman or a casual workman) whose name is borne on the muster rolls of any industrial establishment or unit engaged in the essential defence services.

(2) An order made under sub-section (1) shall be published in such manner as the Central Government may deem fit to bring it to the notice of the persons affected by the order.

(3) An order made under sub-section (1) shall be in force for six months, but the Central Government may, by a like order, extend it for any period not exceeding six months, if it is satisfied that in the public interest it is necessary or expedient so to do.

(4) Upon the issue of an order under sub-section (1),—

(a) no employer in relation to an establishment to which such order applies shall lay-off or continue the lay-off any workman (other than a *badli* workman or a casual workman) whose name is borne on the muster rolls of any industrial establishment or unit engaged in the essential defence services, unless such lay-off is due to shortage of power or natural calamity, and any laying-off or continuation of laying-off shall, unless such laying-off or continuation of laying-off is due to shortage of power or natural calamity, be illegal;

(b) a workman whose laying-off is illegal under clause (a) shall be entitled to all the benefits under any law for the time being in force as if he had not been laid-off.

(5) Any employer, of an industrial establishment or unit engaged in the essential defence services, who lays-off or continues the laying-off of any workman shall, if such laying-off or continuation of laying-off is illegal under this section, be punishable with imprisonment for a term which may extend to one year or with fine which may extend to ten thousand rupees, or with both.

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| 2 of 1974. | <p>11. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any police officer may arrest without warrant any person who is reasonably suspected to have committed any offence under this Ordinance.</p> | Power to arrest without warrant. |
| 2 of 1974. | <p>12. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this Ordinance shall be tried in a summary way by any Metropolitan Magistrate or any Judicial Magistrate of the first class, specially empowered in this behalf</p> | Offences to be tried summarily. |

by the State Government and the provisions of sections 262 to 265 (inclusive) of the said Code shall, as far as may be, apply to such trial:

Provided that in a case of conviction for any offence in a summary trial under this section, it shall be lawful for such Magistrate to pass a sentence of imprisonment for any term for which such offence is punishable under this Ordinance.

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| 2 of 1974. | <p>13. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences punishable under this Ordinance shall be cognisable and non-bailable.</p> | Cognizance of offences. |
| | <p>14. Any reference in this Ordinance to any law which is not in force in any area and to any authority under such law shall, in relation to that area, be construed as a reference to the corresponding law in force in that area and to the corresponding authority under such corresponding law.</p> | Reference of other laws in certain areas. |
| | <p>15. No suit, prosecution or other legal proceedings shall lie against the Central Government or any officer for anything which is in good faith done or intended to be done under this Ordinance.</p> | Protection of action taken in good faith. |
| 14 of 1947. | <p>16. The provisions of this Ordinance and of any order issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force.</p> | Ordinance to override other laws. |
| | <p>17. In the Industrial Disputes Act, 1947, in section 2, in clause (n), in sub-clause (ia), for the words "or dock", the words "or dock or any industrial establishment or unit engaged in essential defence services" shall be substituted.</p> | Amendment of Act 14 of 1947. |
| | <p>18. Every notification issued under this Ordinance shall be laid, as soon as may be after it is made or issued, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in such notification or both Houses agree that the notification should not be issued, the notification shall thereafter have effect only in such</p> | Laying of notifications before Parliament. |

modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

RAM NATH KOVIND,
President.

ANOOP KUMAR MENDIRATTA,
Secretary to the Govt. of India.

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